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December 2, 2019

Via ECF

The Honorable Robert W. Lehrburger,  
United States District Court for the  
Southern District of New York,  
500 Pearl Street,  
New York, New York 10007-1312.

Re: *Chen-Oster, et al. v. Goldman, Sachs & Co., et ano.,*  
No. 10 Civ. 6950 (AT) (RWL) (S.D.N.Y.)

Dear Judge Lehrburger:

On behalf of Defendants, we seek to correct a typographical error in the Court's November 25, 2019 Order (the "Order"; ECF No. 888).

Paragraph 8 of the Order states that "Phase 1 will not include" the matters listed in sub-parts (a), (b), and (c); the word "individual" appears in error immediately before sub-part (a):

Phase 1 of the trial will address on a class-wide basis, and also specifically with respect to the named Plaintiffs, the discriminatory impact of, and treatment related to, Quartiling, 360-Reviews and Cross-Ruffing (the "three processes"). Phase 1 will not include **individual** (a) named Plaintiffs' individual claims (and Goldman's defenses to those claims) apart from application of the three processes; (b) any "boys' club" claims or anecdotes (rather, the only permissible anecdotes will be those related specifically to application of the three processes); (c) damages (including back pay) and punitive damages. The following issues, among others, will not be resolved at the present time and instead will be addressed at an appropriate later juncture (such as summary judgment, motions in limine or other pre-trial filings): admissibility of non-named class member evidence; relevance and admissibility of comparators; Goldman's post-2016 process changes; and availability of injunctive relief in the absence of a certified class under Fed. R. Civ. P. 23(b)(2).

The Honorable Robert W. Lehrburger

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To avoid any confusion, we respectfully request that the Court correct this error in the Order by removing the word “individual” before subpart (a) of Paragraph 8.

Sincerely,

/s/ Robert J. Giuffra, Jr.

Robert J. Giuffra, Jr.  
Sullivan & Cromwell LLP

cc: All parties of record (by ECF)